

**IN THE MAGISTRATE COURT FOR THE COUNTY OF DEKALB  
STATE OF GEORGIA**

**FIRST FINANCIAL INVESTMENT  
FUNDING V., LLC. SUCCESSOR in  
INTEREST TO DEKALB MEDICAL  
CENTER, INC.**

**Plaintiff,**

**Vs.**

**SELWYN JOHNSON**

**Defendant.**

**CASE NO.: 18M86286**

**ANSWER TO COMPLAINT**

**COMES NOW**, Defendant, SELWYN JOHNSON, and hereby, files its Answer to Complaint in the above-captioned case, and shows this Court the following:

**FIRST DEFENSE**

Plaintiff's claims fail to state a claim upon which relief may be granted.

**SECOND DEFENSE**

Plaintiff lacks standing to assert all or part of the claims set forth in the Petition.

**THIRD DEFENSE**

Plaintiff's claims are barred by the doctrine of waiver.

**FOURTH DEFENSE**

Plaintiff's claims are barred by the doctrine of estoppel.



FIFTH DEFENSE

Plaintiff's claims are barred by the statute of limitations

SIXTH DEFENSE

For its Sixth defense, Defendant responds to the enumerated paragraphs of the Petition as follows:

1. Admitted.
2. Denied.

SEVENTH DEFENSE

Any allegations contained in Plaintiff's Complaint not expressly admitted or denied herein are hereby DENIED.

WHEREFORE, having fully answered Plaintiff's Petition, Defendant prays for:

1. Judgment in its favor;
2. That it be dismissed with prejudice from this action;
3. That all costs be cast upon Plaintiff;
4. For such other relief as this Court deems just and proper.

Dated this 18<sup>th</sup> day of April, 2018

/s/Christopher J. Diwan  
Christopher J. Diwan  
Attorney for Defendant  
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**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury of the laws of the State of Georgia that I caused to be served a true and correct copy of the Answer to Complaint by email/electronic service or mailing a copy via first class certified mail to the address(es) listed below:

Brittany Guthrie  
Greene & Cooper  
P.O. Box, LLP  
Roswell, GA 30075  
gc@greencooper.com

Dated this 18<sup>th</sup> day of April 2018.

**/s/Christopher J. Diwan**

Christopher J. Diwan  
Attorney for Defendant  
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